

UNITED STATES DISTRICT COURT

for the

District of Minnesota

UNITED STATES OF AMERICA

v.

Case No. 18-MJ-46 (DTS)

JOSEPH SEAN ANTHONY PORTER

CRIMINAL COMPLAINT

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about January 4, 2018, in Hennepin County, in the State and District of Minnesota, the defendant did unlawfully seize, confine, inveigle, decoy, kidnap, abduct, carry away and hold for ransom, reward and otherwise a known person, in interstate and foreign commerce from Minnesota to Louisiana, in violation of Title 18, United States Code, Section(s) 1201(a).

I further state that I am a(n) Special Agent and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No



Complainant's signature

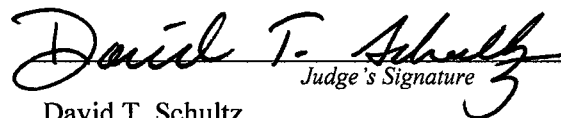
Blake Hostetter, Special Agent
Federal Bureau of Investigation

Printed name and title

Sworn to before me and signed in my presence.

Date: January 19, 2018

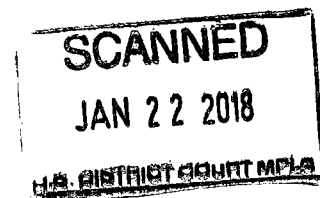
City and State: Minneapolis, MN



Judge's Signature

David T. Schultz
United States Magistrate Judge

Printed Name and Title



STATE OF MINNESOTA

18-MJ-46 (DTS)
SS. AFFIDAVIT OF BLAKE S. HOSTETTER

COUNTY OF HENNEPIN

I, BLAKE S. HOSTETTER, being duly sworn, state as follows:

1. I am a Special Agent with the Federal Bureau of Investigation (hereinafter "FBI") and have been so employed since July 2011. My current responsibilities include investigating violent crimes, such as bank robbery and kidnapping.

2. This affidavit is submitted in support of a criminal complaint alleging that Joseph Sean Anthony Porter (hereinafter "Porter") has violated Title 18, United States Code, Section 1201(a). Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging Porter with kidnapping, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that the defendant committed the offense alleged in the complaint.

3. This affidavit is based on my personal knowledge, my participation in this investigation, and information provided to me by other law enforcement officers and agents who have knowledge of the events and circumstances described herein, witnesses, and other individuals.

4. On January 5, 2018, the Edina Police Department responded to a missing person report at an address on Parklawn Avenue in Edina, Minnesota (hereinafter "the condominium"). The reporting party stated that her adult daughter (hereinafter "the victim") was missing and she was concerned for the victim's welfare.

5. Additional investigation revealed that the victim met Porter through Facebook. Porter lived in Arkansas at the time, but later moved into the condominium with the victim on or about October 1, 2017. The victim's mother also lived in the condominium, but moved out of the condominium on or about October 15, 2017. The victim's mother reported that she was afraid of Porter, that he did not sleep at night, and made a lot of noise. The condominium is owned by the victim and her mother.

6. According to the victim's mother, the victim reported that Porter beat and raped the victim, but that the victim did not want to leave Porter because she loved him. In fact, the victim reported to the police that she had been vaginally and anally raped by Porter on November 16, 2017, and a rape kit was collected at that time.

7. On January 2, 2018, the victim told her mother that she planned to go to Arkansas with Porter, but no specific plan or date was mentioned. The victim said she would return to Minnesota if things did not work out. On January 3, 2018, the victim told her mom that Porter no longer loved her, Porter believed she was a "crazy bitch," and that Porter was assaulting her.

8. On January 4, 2018, at approximately 12:48 a.m., an officer with the Edina Police Department had just cleared an unrelated call and was parked at the intersection of Parklawn Avenue and Gallagher Drive in Edina. A 1995 Honda Accord pulled along the officer's squad car. The officer made contact with Porter and the victim in the vehicle. Porter claimed the victim would not get out of his vehicle. The victim told the officer she wanted to work things out with Porter. The victim subsequently exited Porter's vehicle and

was observed walking in the direction of the condominium. Porter left the area in the 1995 Honda Accord.

9. At approximately 1:16 a.m. on January 4, 2018, Edina Police officers were dispatched to the victim's condominium after receiving a call from the victim's mother to check the victim's welfare. The victim was reportedly alone at the condominium at that time. The victim said she got into an argument with Porter and she was concerned he would return and take all her property. The victim said Porter had the keys to her condominium.

10. At approximately 1:23 a.m. on January 4, 2018, the Wright County Sheriff's Office received a call from the victim on a recorded non-emergency line. The victim sounded upset and said she did not feel safe and that her boyfriend hurt her. The victim reported Porter had her keys and she was concerned for her safety. Prior to transferring the call to the Edina Police Department, the victim reported that the police had arrived in her parking lot so the call was never transferred to the Edina Police Department.

11. On January 5, 2018, the victim's mother went to the condominium to check the victim's welfare. However, she was unable to make contact with the victim. The victim's mother found that the locks to the condominium had been changed. She had a locksmith respond to open the condominium. Members of the Edina Police Department also responded and checked the condominium, but did not locate the victim. Officers took a missing person report.

12. Thereafter, the Edina Police Department contacted Sprint and attempted to locate the victim's cell phone. They were informed that the victim's cell phone was last located near the condominium at approximately 4:00 a.m. on January 4, 2018. Then, on

January 9, 2018 at approximately 1:34 p.m., the victim's cell phone was turned on again in the area of Cabot, Arkansas where it remained on until approximately 5:36 p.m. Law enforcement attempted to locate Porter's cell phone; however, according to AT&T/Cingular, Porter's cell phone service was discontinued on January 3, 2018.

13. On January 5, 2018, the Edina Police Department entered the victim in the National Criminal Information Center (hereinafter "NCIC") as a missing person. Porter was entered into NCIC on January 7, 2018. Thereafter, the Edina Police Department learned that on January 4, 2018, at 8:33 p.m., Porter was stopped in Missouri while driving the 1995 Honda Accord. The responding Missouri State Police officer reported that Porter was alone in the vehicle and that there was a shovel and a pickax in the passenger compartment. On January 5, 2018, at 1:08 a.m., Porter was stopped in the 1995 Honda Accord in Ash Flat, Arkansas. An officer with the Evening Shade, Arkansas Police Department reported that Porter was alone in the vehicle and did not appear to have any burns on his person. The officer noted two suitcases, a shovel, and another unidentified tool in the vehicle.

14. On January 5, 2018, Porter's mother was interviewed. She reported that at approximately 3:30 a.m. on January 4, 2018, the victim sent text messages to her wherein the victim stated that Porter had taken her keys and would not let her leave the condominium. The victim's cell phone records confirm three outgoing text messages from the victim's phone to Porter's mother on January 4, 2018 between 3:24 a.m. and 3:25 a.m. The victim's cell phone records show the last outgoing call from the victim's phone was on January 4, 2018 at 4:13 a.m. and the last outgoing text message, which was sent to the

victim's own phone, was on January 4, 2018 at 5:12 a.m. There is no further outgoing activity from the victim's phone.

15. On January 6, 2018, Porter's mother called the Edina Police Department. She relayed that approximately three weeks earlier she spoke to Porter who claimed he was going to kidnap the victim, drain her bank accounts, empty her safe deposit box of the guns, and take her some place where no one could find her again. Porter's mother did not report this information to the police at that time.

16. The Edina Police Department has an extensive contact history at the condominium concerning domestic-related calls involving the victim and Porter. Since October 24, 2017, the Edina Police Department has responded to 19 calls for service to the condominium. At least seven reports were of domestic disturbances and one was for criminal sexual conduct when the victim reported that Porter raped her. The Edina Police Department has arrested Porter for domestic assault and interference with a 911 call, and twice for violating a Domestic Abuse No Contact Order. All of these arrests involved Porter as the suspect and the victim as the complainant.

17. On January 7, 2018, law enforcement officers executed a search warrant at the condominium to look for evidence related to the victim's disappearance. The search warrant was reviewed and signed by Hennepin County District Judge Mary Vasaly. In the condominium, investigators located a TCF Visa debit card bearing the victim's name, the victim's EBT card and her current Minnesota identification card. Investigators also found a large sum of cash in a locked suitcase. Along with the cash were two Wells Fargo Bank receipts dated January 2, 2018 at 10:42 a.m. and 10:43 a.m. Investigators did not find a

current Wells Fargo debit card in the victim's name; however, they did locate Wells Fargo Bank paperwork for a safe deposit box in the victim's name. The paperwork was dated February 2, 2017. Investigators also found safe deposit box keys.

18. Also in the condominium, law enforcement officers found fresh food on the kitchen table and in the refrigerator. The victim's parakeets had been located at the condominium by the victim's mother who took the parakeets out of the apartment to care for them. Law enforcement was not able to verify any arrangements made by the victim to have someone care for the parakeets in her absence.

19. Subsequent to the search of the condominium, investigators again interviewed the victim's mother. She advised that the victim had a Wells Fargo checking account in which her Social Security disability checks were deposited. Prior to January 4, 2018, the victim asked her mother to go to the bank, take her money out of her account, and bring it to the condominium. The victim's mother oversees the victim's finances and subsequently did withdraw the money as requested and brought it to the victim. The victim's mother also confirmed that the victim has a safe deposit box at Wells Fargo Bank. She believed the victim had cash and possibly jewelry in the safe deposit box.

20. On January 8, 2018 at approximately 1:15 p.m., an officer with the Lonoke County, Arkansas Sheriff's Office encountered Porter who was sleeping in the front passenger seat of a silver Pontiac G6. The vehicle was parked at a boat ramp at Lake Pickthorne, Arkansas. The officer noted Porter had fresh burns on his face, there was a gas can in the backseat of the vehicle, and a strong odor of gasoline emanated from the

passenger compartment. As there were no NCIC hits for Porter or the vehicle, the officer did not further question Porter at that time.

21. As previously stated, on January 9, 2018 the victim's cell phone was turned on in the area of Cabot, Arkansas. Agents began searching the area for the victim, Porter and the 1995 Honda Accord. FBI agents located video of Porter and another man at a Walmart in Cabot, Arkansas on January 9, 2018, at approximately 1:00 p.m. Several cell phones were pawned at a kiosk inside of this Walmart on January 9, 2018. One of the pawned phones was later confirmed to belong to the victim. Porter and the other man left the Walmart in a silver, 2007 Pontiac G6 with no license plate.

22. Law enforcement later identified the man with Porter in the Walmart surveillance video as Porter's husband. Law enforcement found pictures of Porter on his husband's Facebook account. Porter's husband lives in Jacksonville, Arkansas, less than twenty miles from the Cabot Walmart.

23. On January 9, 2018, FBI agents located Porter and his husband at the husband's residence. Porter had noticeable burns on his face, hands and body. Agents saw several book bags inside the trailer. Woman's underwear were visible in one of the open pockets of one of the book bags.

24. On January 10, 2018, FBI agents obtained a search warrant for the husband's residence. Agents located, among other things, a number of electronic items, women's clothing, a pickax, and a jewelry box bearing the words "Love from Minnesota." The victim's mother subsequently confirmed the jewelry box belonged to the victim.

25. FBI agents also executed a search warrant on the silver, 2007 Pontiac G6. During that search, agents recovered a key ring containing a key FOB, a keychain bearing "I Love NY," and other miscellaneous keys. The victim's mother later confirmed the keys belonged to the victim. Law enforcement verified that the silver, 2007 Pontiac G6 was stolen from a business on Almonaster Avenue in New Orleans, Louisiana.

26. Thereafter, law enforcement learned that on January 6, 2018 at approximately 9:30 p.m., the New Orleans Fire Department responded to a fire in a shipping container located on Old Gentilly Road in New Orleans, approximately 1,500 to 2,000 feet from the business from which the Pontiac G6 was stolen. Upon extinguishing the fire, fire personnel found a badly burned body in the back of the shipping container. Law enforcement believe the body to be that of a female based upon the smaller stature; however, DNA and dental record examinations are still pending.

27. On January 13, 2018, members of the New Orleans Police Department located the 1995 Honda Accord on Old Gentilly Road, a short distance from the burned shipping container and the business from where the Pontiac G6 was stolen.

28. Based on the foregoing facts, I respectfully submit that there is probable cause to believe that on or about January 4, 2018, Joseph Sean Anthony Porter did unlawfully seize, confine, inveigle, decoy, kidnap, abduct, carry away and hold for ransom,

reward and otherwise the victim, in interstate and foreign commerce from Minnesota to Louisiana, in violation of Title 18, United States Code, Section 1201(a).

Further your affiant sayeth not.



BLAKE S. HOSTETTER, Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me this 19th day of January, 2018.



DAVID T. SCHULTZ
United States Magistrate Judge